

REMARKS

Claims 1, 3-4, 6-12, 14-15, 17-34 remain pending in this application. Claims 2, 5, 13 and 16 have been canceled.

Specification

The specification was objected to because the word "said" in the abstract. Correction of the specification has been made by the above replacement abstract.

Claim Rejections – 35 U.S.C. § 102(b)

Claims 1, 3-4, 6-8, 12, 14, 17-19, 23-25, 29-30, 32 and 33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Thoer.

Anticipation can be found only if a reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 USPQ 773 (Fed. Cir. 1985). Anticipation requires identity of the claimed process and a process of the prior art; the claimed process, including each step thereof, must be described or embodied in a single reference. *Glaverbel Societe Anonyme v. Northlake Marketing & Supply, Inc.*, 45 F.3d 1550, 22 USPQ2d 1496 (Fed. Cir. 1995).

Thoer does not anticipate the invention of the present claims. Thoer does not disclose a hopper mounted in front of the main sweeper brush during operation. The skip 4 of the machine disclosed in Thoer is mounted behind the sweeper brush. Additionally, Thoer does not disclose a filter device disposed within the hopper so that particulate material is returned to the turf surface ahead of the sweeper brush. Thoer does not disclose or suggest the use of a filter device within the skip 4. Nor would a filter device within skip 4 return the particulate material ahead of the sweeper brush in operation. Reconsideration of this rejection is requested.

Claims 26-28 were rejected under 35 U.S.C. § 102(b) as being anticipated by Thoer.

Erko does not anticipate the invention of the present claims. Erko does not disclose a filter device disposed within the hopper so that turf fill material is returned to the turf surface ahead of the sweeper brush. Reconsideration of this rejection is requested.

Claim Rejections 35 U.S.C. §103

Claim 1-3, 5-7, 9-14, 16-18, 20-24 and 29-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Erko in view of Allaway.

Allaway is directed to a pneumatic device which expels high velocity air at an inclined angle against a playing surface so as to dislodge coarse and fine particulate matter. Col. 1, lines 57-67. Allaway specifically teaches away from the use of a main sweeper brush by suggesting that nylon brushes are not very successful at cleaning certain surfaces. Col. 1, lines 44-47.

Allaway discloses a debris hopper (bin 43) which receives debris elements. Bin 43 is disposed behind the pneumatic cleaning head of Allaway. Bin 43 purportedly has a closed bottom for retaining debris elements within bin 43. No filter device is provided within bin 43 so that no fill material exits bin 43 to be deposited back onto the turf surface.

Even assuming that the combination of Erko and Allaway as proposed by the Examiner was proper, the combination of references would fail to disclose or teach the invention as presently claimed. The combination of Erko and Allaway would fail to disclose or teach a debris hopper and filter device mounted forwardly relative to the main sweeper brush which separates turf fill material from debris elements and returns the turf fill material to the turf field ahead of the main sweeper brush as the machine traverses a turf field.

Reconsideration of this rejection is requested.

Information Disclosure Statement

Applicant requests that Examiner initial and return form PTO-1449 which was submitted on June 6, 2002. Copies of form PTO-1449 and transmittal received June 19, 2002, are attached.

CONCLUSION

Applicant respectfully requests that the Examiner reconsider the pending claims.

Please direct any questions regarding this application to John Klos at (612) 321-2806.

Respectfully submitted,
Tennant Company, by its attorneys

Dated: February 22, 2005

By: John F. Klos

John F. Klos, Esq.
Registration No. 37,162
Fulbright & Jaworski L.L.P.
80 South Eighth Street, Suite 2100
Minneapolis, MN 55402
Telephone: (612) 321-2806